



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

15 W Yakima Ave, Ste 200 • Yakima, WA 98902-3452 • (509) 575-2490

September 27, 2007  
CERTIFIED MAIL

The Honorable Aubrey C Reeves Jr  
Mayor of Union Gap  
PO Box 3008  
Union Gap WA 98903

RE: Extension of time under Temporary Ground Water Permit Nos. G4-32214T and G4-32215T

In response to your written request of September 10, 2007, and in light of information exchanged:

- During the meeting July 31, 2007<sup>1</sup>,
- City Council meeting September 24, 2007 with Ecology staff<sup>2</sup> in attendance. Council action that evening included adopting Ordinance 2538 amending the City's Ordinance 12.04.015 titled Water Rights, to meet the statutory requirements for exempt well consolidation under Chapter 90.44.105 Revised Code of Washington (RCW), and
- The City Public Works Director has been working with the Department's Water Resources Program Technical Unit Supervisor, Tom Mackie, and Well Construction Coordinator, Avery Richardson, for technical guidance on proper decommissioning of the various type of wells to be encountered and compliance with Chapter 173-160.

The Department hereby grants an extension of time to complete construction, but not for the full period requested. Ecology recognizes that the project is a significant undertaking for the City. It involves substantial planning and budget, extensions of water system delivery mains, administration and consolidation of permit exempt wells, and proper decommissioning of the exempt wells. The work will not likely be completed within the timeframe herein allowed.

The efforts and plans will also have to be detailed in the next Water System Plan due in 2009. Ecology has obligation to evaluate the diligence and good faith effort of the

<sup>1</sup> The meeting on July 31, 2007 was at the Central Region Office Department of Ecology and attended by Water Resources Program Unit Supervisor, Melissa Downs, and staff Darrell Monroe; Mayor Aubrey Reeves, City Attorney Robert Noe, Public Works Director, Dennis Henney; and Consultant, Jeff Louman.

<sup>2</sup> Department of Ecology Water Resources Program Unit Supervisor, Melissa Downs and staff Darrell Monroe.

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permittee to perfect the authorized project<sup>3</sup>. Your new deadline to show progress towards completion of construction and filing Completion of Construction report is **April 1, 2010**. Further extensions of time will be considered under the criteria set forth in RCW 90.03.320.

You have a right to appeal this decision. To appeal this you must:

- File your appeal with the Pollution Control Hearing Board within 30 days of the "date of receipt" of this document. Filing means actual receipt by the Board during regular office hours.
- Serve your appeal on the Department of Ecology within 30 days of the "date of receipt" of this document. Service may be accomplished by any of the procedures identified in WAC 371-08-305(10). "Date of receipt" is defined at RCW 43 21B.001(2).

Be sure to do the following:

- Include a copy of this document that you are appealing with your Notice of Appeal.
- Serve and file your appeal in paper form; electronic copies are not accepted.

1. To file your appeal with the Pollution Control Hearings Board:

Mail appeal to:

OR

Deliver your appeal in person to:

The Pollution Control Hearings Board  
PO Box 40903  
Olympia WA 98504-0903

The Pollution Control Hearings Board  
4224 – 6th Ave SE Rowe Six, Bldg 2  
Lacey WA 98503

2. To serve your appeal on the Department of Ecology:

Mail appeal to:

OR

Deliver your appeal in person to:

The Department of Ecology  
Appeals Coordinator  
PO Box 47608  
Olympia WA 98504-7608

The Department of Ecology  
Appeals Coordinator  
300 Desmond Dr SE  
Lacey WA 98503

3. And send a copy of your appeal packet to:

G. Thomas Tebb, L.E.G.  
The Department of Ecology  
Central Region Office  
15 W Yakima Ave Ste 200  
Yakima WA 98902-3452

For additional information visit the Environmental Hearings Office Website: <http://www.eho.wa.gov>

<sup>3</sup> RCW 90.03.320 in part, For good cause shown, the department shall extend the time or times fixed as aforesaid, and shall grant such further period or periods as may be reasonably necessary, having due regard to the good faith of the applicant and the public interests affected.

The Honorable Aubrey C. Reeves Jr.

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*To find laws and agency rules visit the Washington State Legislature Website:  
<http://www1.leg.wa.gov/CodeReviser>*

Sincerely,

A handwritten signature in black ink, appearing to read "G. Thomas Tebb", with a long horizontal flourish extending to the right.

G. Thomas Tebb, L.E.G.  
Section Manager  
Water Resources Program

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070922

Enclosure: Your Right to Be Heard

